

Message Text

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TO AMEMBASSY MOSCOW IMMEDIATE

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EXDIS

E.O. 11652: GDS

TAGS: PARM, UR

SUBJECT:NUCLEAR SAFEGUARDS CONSULTATIONS

REFS:MOSCOW 16050, 16099

1. THE FOLLOWING GUIDANCE IS APPROVED FOR FURTHER CONSULTATIONS ON NUCLEAR SAFEGUARDS WITH THE SOVIETS.

2. INSTRUCTIONS AND GUIDANCE IN STATE 227098 CONTINUE TO APPLY WITHOUT CHANGE. OUR OBJECTIVE IN THIS THIRD ROUND SHOULD BE TO OBTAIN SOVIET AGREEMENT BOTH ON THE OUTLINE OF A MULTILATERAL SAFEGUARDS APPROACH AND ON THE DESIRABILITY OF A CONFERENCE OF KEY SUPPLIERS TO BE HELD EXPEDITIOUSLY IF AGREEABLE WITH THE OTHER PROPOSED PARTICIPANTS.

3. IN VIEW OF SOVIET INTEREST IN DISCUSSING A FULL RANGE
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OF NON-PROLIFERATION ISSUES IN THIS FORUM AND REACHING EXPLICIT US-SOVIET AGREEMENTS AS A RESULT OF BILATERAL NEGOTIATIONS OF SUBSTANTIAL DURATION, IT IS IMPORTANT TO UNDERLINE THE US POSITION (A) THAT A MULTILATERAL

APPROACH IS INDISPENSABLE TO THE SUCCESS OF A SAFEGUARDS STRATEGY, (B) THAT THESE TALKS ARE DESIGNED TO GAIN SOVIET SUPPORT OF SUCH AN APPROACH AND NOT TO ENTER INTO DETAILED BILATERAL CONSULTATIONS AT THIS TIME, AND (C) THAT WE ARE WILLING TO DISCUSS OTHER NON-PROLIFERATION ISSUES IN OTHER FORUMS.

4. WE SHOULD THEREFORE REITERATE VIEW THAT CONCRETE ARRANGEMENTS WOULD BE WORKED OUT IN MULTILATERAL CONTEXT AND WE WOULD SEEK SPECIFIC AGREEMENT IN SUCH A CONTEXT. HOWEVER, THE FOLLOWING PARAS 5 THROUGH 9 PROVIDE SPECIFIC ILLUSTRATIONS OF THE GENERAL POLICIES SUGGESTED IN PARAS 1 THROUGH 5 OF THE AIDE MEMOIRE TO GIVE THE SOVIETS ADDITIONAL DETAILS AS TO THE SCOPE OF THE MEASURES WE HAVE IN MIND.

5. WITH RESPECT TO OUR FIRST POINT, WE THINK ADDITIONAL STEPS ARE NEEDED TO REMOVE ANY AMBIGUITY CONCERNING THE FACT THAT NUCLEAR MATERIALS IMPORTED BY NON-NUCLEAR WEAPON STATES, OR PRODUCED WITH EQUIPMENT OR TECHNOLOGY IMPORTED BY SUCH STATES, MAY NOT BE USED FOR ANY NUCLEAR EXPLOSIVE DEVICE, WHETHER OR NOT IT IS CLAIMED TO BE FOR PEACEFUL PURPOSES. WE ALSO BELIEVE THAT ALL RELATED SAFEGUARDS AGREEMENTS SHOULD ENSURE THAT THERE BE NO SUCH USE. THIS IS CONSISTENT WITH THE GUIDELINES DEVELOPED IN THE NUCLEAR EXPORTERS' (ZANGGER) COMMITTEE (IAEA INFCIRC 209, 3 SEPTEMBER 1974) IN WHICH OUR TWO GOVERNMENTS CONCURRED. WE CONSIDER IT IMPORTANT THAT ALL NUCLEAR SUPPLIERS FOLLOW THIS PRACTICE WITH RESPECT TO THEIR NUCLEAR EXPORTS AND THAT FURTHER STEPS BE TAKEN TO ENSURE THAT IT IS IMPLEMENTED.

6. WITH RESPECT TO OUR SECOND POINT, WE BELIEVE ALL NUCLEAR SUPPLIERS SHOULD REQUIRE IAEA SAFEGUARDS ON ALL THEIR NUCLEAR EXPORTS (INCLUDING AT LEAST THOSE DEFINED IN THE ZANGGER COMMITTEE GUIDELINES) AND THAT SUCH SAFEGUARDS BE OF APPROPRIATE DURATION AND SCOPE. BOTH OUR
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GOVERNMENTS SUPPORTED GOV/1621 IN THE IAEA BOARD OF GOVERNORS, WHICH SET FORTH CERTAIN MINIMUM REQUIREMENTS FOR THE DURATION AND COVERAGE OF SAFEGUARDS AGREEMENTS. IN PARTICULAR, WE BELIEVE THAT THE DURATION OF SAFEGUARDS SHOULD BE COMMENSURATE WITH THE LIFE OF THE FACILITIES INVOLVED, AND THAT THEY SHOULD CONTINUE TO COVER PRODUCED MATERIAL. IN ADDITION, WE THINK IT IMPORTANT TO ENSURE THAT IAEA SAFEGUARDS ARE ADEQUATELY FINANCED AND IMPLEMENTED IN AN EFFECTIVE MANNER, AND THAT THE IAEA SHOULD BE GIVEN THE POLITICAL AND TECHNICAL SUPPORT NEEDED FOR THIS PURPOSE. IN THIS CONNECTION, WE BELIEVE THE IAEA COULD BENEFIT FROM FURTHER RESEARCH AND DEVELOPMENT OF SAFEGUARDS TECHNIQUES AND INSTRUMENTATION.

7. WITH RESPECT TO OUR THIRD POINT, THE THREE ITEMS MENTIONED (WEAPONS GRADE MATERIAL, ENRICHMENT EQUIPMENT OR TECHNOLOGY, AND REPROCESSING EQUIPMENT OR TECHNOLOGY) WOULD BE OF SPECIAL NON-PROLIFERATION CONCERN BECAUSE OF THE RESULTING DIRECT AVAILABILITY OF WEAPONS-USEABLE

MATERIAL. WITH REGARD TO URANIUM ENRICHMENT AND CHEMICAL REPROCESSING TECHNOLOGY OR EQUIPMENT, THE SITUATION IN WHICH ONLY THE NUCLEAR WEAPONS STATES POSSESSED THE TECHNOLOGY IS RAPIDLY CHANGING, THUS UNDERLINING THE NEED FOR MULTILATERAL SUPPLY POLICIES. THE DETAILS OF WHAT SPECIAL RESTRAINTS SHOULD BE APPLIED MAY BE SOMEWHAT DIFFERENT FOR EACH OF THE THREE ITEMS. HOWEVER, AS A BASIS FOR OPENING DISCUSSIONS, THE US HAS SUGGESTED ONE ELEMENT OF AN APPROACH: SUPPLY ONLY TO THOSE NON-NUCLEAR WEAPONS STATES WHICH HAVE MADE A GENERAL COMMITMENT TO NON-PROLIFERATION, AND WHICH HAVE ACCEPTED INTERNATIONAL SAFEGUARDS ON THEIR ENTIRE NUCLEAR FUEL CYCLE. ANOTHER ELEMENT MIGHT BE TO LIMIT THE NUMBER OF INDEPENDENT NATIONAL REPROCESSING AND ENRICHMENT EFFORTS. SINCE NUCLEAR POWER PROGRAMS AS PLANNED NOW IN MANY COUNTRIES WILL NEED THESE SERVICES, MULTINATIONAL ENTERPRISES REPRESENT A DESIRABLE AND PERHAPS NECESSARY ALTERNATIVE TO NATIONAL PLANTS.

8. WITH REGARD TO THE FOURTH POINT ON PHYSICAL PROTECTION, OUR CONCERN OVER THE POSSIBILITY OF SEIZURE OF NUCLEAR MATERIAL, OR SABOTAGE OF NUCLEAR FACILITIES, HAS SUB-SECRET

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STANTIALY INCREASED IN THE RECENT PAST. WE INTEND TO PROMOTE THE ADEQUATE APPLICATION OF PHYSICAL SECURITY IN A BROAD CONTEXT, POSSIBLY TO INCLUDE AN INTERNATIONAL CONVENTION ON THE SUBJECT. SUCH A CONVENTION WOULD INCLUDE A COMMITMENT IN PRINCIPLE BY ITS PARTIES TO APPLY ADEQUATE MEASURES TO PROTECT THEIR NUCLEAR MATERIALS IN TRANSIT, AND TO COOPERATE AS APPROPRIATE IN COVERAGE OF INTERNATIONAL SHIPMENTS OR MOVEMENT OF NUCLEAR MATERIAL AND RECOVERY OF SEIZED MATERIAL. WE ASSUME IT WOULD NOT INCLUDE ACTUAL APPLICATION OF PHYSICAL SECURITY BY AN INTERNATIONAL AGENCY. THE ROLE OF KEY NUCLEAR SUPPLIERS WOULD BE TO SUPPORT SUCH A CONVENTION AND, IN ADDITION, TO CONSIDER THE INCLUSION OF PHYSICAL SECURITY CONDITIONS AS A REGULAR ELEMENT OF THEIR NUCLEAR EXPORT AGREEMENTS. TYPICAL PHYSICAL SECURITY MEASURES COULD INVOLVE ESCORT AND COMMUNICATION ARRANGEMENTS WHEN MATERIAL IS IN TRANSIT, SPECIAL VEHICLES AND CONTAINERS AND LIMITS ON TYPES OF TRANSPORTATION AUTHORIZED. IN PLANTS CONTAINING SPECIAL NUCLEAR MATERIAL SPECIAL MEASURES MIGHT INCLUDE THE USE OF GUARDS, SENSING DEVICES, COMMUNICATIONS, AND THE ESTABLISHMENT OF PROTECTED AREAS.

9. ON THE FIFTH POINT, THE US RECOGNIZES THAT THERE MAY BE REGIONS OR SITUATIONS TO WHICH RESTRICTIONS ON SUPPLY OF NUCLEAR MATERIAL, EQUIPMENT, OR TECHNOLOGY WOULD CONTRIBUTE TO REDUCING PARTICULAR RISKS OF CONFLICT OR INSTABILITY. AS AN EXAMPLE OF THE SORT OF RESTRAINTS THAT MIGHT BE CONSIDERED UNDER POINT 5, THE US IS SEEKING

AGREEMENT WITH EGYPT AND ISRAEL ON THE FOLLOWING PROVISIONS FOR PROPOSED NUCLEAR REACTOR SALES: (A) THE REPROCESSING, FABRICATION, AND STORAGE OF SPECIAL NUCLEAR MATERIAL SUBJECT TO THE AGREEMENT WILL TAKE PLACE OUTSIDE EGYPT AND ISRAEL; (B) THE UNITED STATES WILL HAVE THE OPTION TO PURCHASE, AND DISPOSE OF, PLUTONIUM PRODUCED THROUGH THE USE OF ANY TRANSFERRED MATERIAL OR REACTOR; AND (C) THERE WILL BE AGREED MEASURES FOR THE PHYSICAL SECURITY OF MATERIAL AND EQUIPMENT TRANSFERRED UNDER THE AGREEMENTS. IT WILL UNDOUBTEDLY BE VERY DIFFICULT TO PREDICT PARTICULAR CASES IN WHICH SUPPLY RESTRICTIONS SHOULD BE APPLIED IN THE FUTURE, AND ALSO TO FORESEE THE
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APPROPRIATE FORMS OF RESTRAINT. THUS IT WOULD BE DESIRABLE TO GAIN GENERAL SUPPLIER UNDERSTANDINGS ON THESE POINTS, PERHAPS INCLUDING RECOGNITION THAT CONSULTATIONS MAY BE NECESSARY ON SPECIFIC EXPORT ISSUES.

10. WITH RESPECT TO THE SOVIET 12-POINT ISSUES PAPER, YOU MAY DRAW UPON THE FOLLOWING AS APPROPRIATE:

A. POINTS 1, 2, 3, 7 AND 9 OF THE SOVIET PAPER ARE COMPLETELY CONSISTENT WITH US PROPOSALS TO STRENGTHEN INTERNATIONAL SAFEGUARDS ON NUCLEAR SUPPLY, TO EXERCISE SPECIAL RESTRAINT IN CONTROLLING REPROCESSING AND ENRICHMENT TECHNOLOGY, AND TO ENSURE THAT NUCLEAR MATERIALS ARE APPROPRIATELY PROTECTED AGAINST UNAUTHORIZED USE (PARAS 2, 3, AND 4 OF OUR AIDE MEMOIRE.)

B. WE INTERPRET POINT 6 OF THE SOVIET PAPER AS ENCOURAGING EFFECTIVE IMPLEMENTATION OF THE AGREED ZANGGER COMMITTEE GUIDELINES. WE SUPPORT THIS OBJECTIVE, BUT, AS INDICATED, WISH TO BUILD ON THIS RESULT AND DEVELOP A MEANS OF GAINING SUPPORT OF SUPPLIERS WHO DID NOT PARTICIPATE IN THE ZANGGER EFFORT AND OF FORMULATING MULTILATERAL EXPORT RESTRAINTS NOT SPECIFICALLY COVERED IN THE COMMITTEE'S GUIDELINES.

C. WE SHARE THE VIEW EXPRESSED IN POINT 5 OF THE SOVIET PAPER REGARDING THE NEED TO SECURE TIMELY CONCLUSION OF IAEA SAFEGUARDS AGREEMENTS BY NPT PARTIES. THIS ISSUE IS NOT INCLUDED IN OUR AIDE MEMOIRE WHICH IS CONCERNED ONLY WITH THE NEED FOR COMMON EXPORT POLICIES AMONG KEY NUCLEAR SUPPLIER STATES. SINCE NOT ALL SUCH STATES ARE NPT PAR-

TIES, NPT ISSUES SHOULD BE HANDLED IN OTHER FORUMS.

D. WE NOTE THAT THE SOVIET PAPER DOES NOT DISCUSS THE NEED TO OBTAIN EXPLICIT ASSURANCES FROM NON-NUCLEAR WEAPONS STATES THAT WOULD PRECLUDE USE OF NUCLEAR MATERIAL IN ANY REPEAT ANY NUCLEAR EXPLOSIVE DEVICE, WHETHER FOR

PEACEFUL PURPOSES OR FOR WEAPONS (PARA 1 OF THE US AIDE MEMOIRE). WE ALSO NOTE THAT THE SOVIET PAPER DOES NOT MENTION THE ISSUE OF DEVELOPING STRINGENT CONDITIONS ON
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THE SUPPLY OF SENSITIVE NUCLEAR MATERIAL TO COUNTRIES IN REGIONS OF INSTABILITY OR CONFLICT (PARA 5 OF THE US AIDE MEMOIRE). WE WOULD LIKE TO KNOW IF SOVIETS AGREE THAT THESE POINTS SHOULD BE INCLUDED IN MULTILATERAL DISCUSSIONS.

E. POINTS 4, 8, 10, AND 11 OF THE SOVIET PAPER ARE ALL MATTERS WHICH THE US BELIEVES MUST BE ADDRESSED IN ESTABLISHING AN EFFECTIVE INTERNATIONAL NON-PROLIFERATION POLICY. AS INDICATED, HOWEVER, WE WISH TO CONTINUE TO DISCUSS THESE ISSUES WITH THE SOVIET UNION AND OTHER APPROPRIATE NATIONS IN EXISTING FORUMS, NOTABLY THE IAEA AND THE PREPARATORY MEETINGS FOR THE NPT REVIEW CONFERENCE. WE BELIEVE THAT THE PRESENT US-SOVIET CONTACTS SHOULD BE DEVOTED TO THE SPECIFIC AND IMPORTANT PROBLEMS OF INSTITUTING A MULTILATERAL ARRANGEMENT AMONG KEY NUCLEAR SUPPLIERS DESIGNED TO STRENGTHEN NUCLEAR SAFEGUARDS AND EXPORT CONTROLS.

F. POINT 12 OF THE SOVIET PAPER, AS INDICATED, DOES NOT APPLY TO THESE BILATERAL CONTACTS. THE US OBJECTIVE IS TO REACH A MULTILATERAL AGREEMENT AMONG ALL KEY SUPPLIERS ON IMPROVED AND UNIFORM SAFEGUARDS AND CONTROLS OVER NUCLEAR EXPORTS.

11. YOU SHOULD REITERATE AT APPROPRIATE TIME THAT THE US WILL MAKE CORRESPONDING CONFIDENTIAL APPROACHES TO THE OTHER KEY SUPPLIERS IDENTIFIED IN YOUR PRESENTATION AND THAT WE INTEND TO TELL EACH WE ARE TALKING TO THE OTHERS.

12. SHOULD SOVIET PRESS FOR GREATER REPRESENTATION OF THEIR ALLIES OR OTHERS IN THE PROPOSED CONFERENCE, YOU SHOULD DRAW ON PARA 14 OF STANDING INSTRUCTIONS. INGERSOLL

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